

U.S. Pat. Appl. Ser. No. 10/531,842
Attorney Docket No. 10191/4128
Reply to Office Action of April 4, 2008

Amendments to the Drawings:

The attached Replacement sheets of drawings including Figs. 1 to 4 are submitted in response to the objections to the drawings as detailed in the Office Action. No new matter has been added. The Replacement sheets replace the original sheets containing Figs. 1 to 4. Approval and entry are respectfully requested.

Attachment: two (2) Replacement sheets

REMARKS

With the addition of new claims 13 to 16 and the cancellation herein without prejudice of claim 8, claims 9 to 16 are pending in the present application, since claims 1 to 7 were previously canceled. It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration of the present application is respectfully requested.

Applicants note with appreciation the acknowledgement of the claim for foreign priority and the indication that all certified copies of the priority documents have been received.

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper, and cited references.

With respect to the objection to the declaration, Applicants traverse the requirement for a new declaration. On January 22, 2008, Jon Dudas of the U.S.P.T.O. (**Under Secretary** of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office) issued a directive entitled “**Duty of Disclosure Language Set Forth in Oaths or Declarations Filed in Nonprovisional Patent Applications,**” which provided that compliance will be waived for applications filed before June 1, 2008.

In particular, the directive provides, in part, that the Revised Procedure is as follows:

Revised Procedure:

....

For pending applications, the Office is hereby *sua sponte* waiving the express language requirement of 37 CFR 1.63(a)(3), where the oath or declaration was filed prior to June 1, 2008. The express language of 37 CFR 1.63(a)(3) is waived only to the extent necessary such that an oath or declaration containing the “material to examination” or “in accordance with . . . 1.56(a)” language, or both, will be accepted as acknowledging the applicant’s duty to disclose information “material to patentability” as defined in 37 CFR 1.56.

The declaration filed in the present application (which was filed before June 1, 2008) states “I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a),” which the revised procedure clearly indicates “will be accepted as acknowledging the applicant’s duty to disclose information ‘material to patentability’ as defined in 37 CFR 1.56.”

Withdrawal of the objection to the declaration is therefore respectfully requested.

Fig. 1 has been amended to include labels for blocks 1 to 8. Fig. 3 has been amended to include a label at block S4, to show the connection between blocks S6 and S7, and to show the alternative flow from block S5 to block S4. Fig. 4 has been amended to include labels for blocks D2, D5, D7, and D9. Thus, all of the objections to the drawings have been obviated. Withdrawal of the objections to the drawings is therefore respectfully requested.

Applicants thank the Examiner for indicating that claims 9 and 12 are allowable. In this regard, the Examiner will note that each of claims 9 and 12 has been rewritten in independent form to include all of the subject matter of its base claim. The Examiner will further note that each of claims 8, 10, and 11 have been amended herein without prejudice to depend from claim 9. It is therefore respectfully submitted that claims 8 to 12 are in condition for immediate allowance.

The remaining rejected claim has been canceled herein without prejudice, so as to obviate the remaining claim rejection.

New claims 13 to 16 have been added herein. The new claims do not add new matter and are supported by the present application, including the specification, as originally filed. Claims 13 to 16 depend from claim 12 and are therefore allowable by virtue of their dependency from claim 12, which the Examiner has indicated as being allowable.

Accordingly, all of pending claims 8 to 16 are allowable.

Applicants reserve the right to pursue the subject matter of the claims as previously presented in a continuation patent application. Further, any disclaimer that may have occurred during the prosecution of this application is expressly rescinded as regards any subsequently filed patent application.

Conclusion

In view of the foregoing, it is respectfully submitted that all of pending claims 8 to 16 are allowable. It is therefore respectfully requested that the rejections and objections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,

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